

REMARKS

In the Office Action, the Examiner allowed claims 1-7 and 13-17, objected to claims 8-12 and 18-20 due to informalities, and rejected claims 8-12 under 35 U.S.C. 102(e) as being anticipated by Kumar et al. (U.S. Patent No. 6,507,575). Applicants have amended claims 8 and 18 to address the informalities. The Applicants respectfully traverse the 35 U.S.C. 102(e) rejection.

Kumar et al. is directed to a system in which a frame selection/distribution (FSD) function ensures that a current primary base station has packets queued for transmission to a mobile unit. Initially, data packets are transmitted to "only a current primary base station." When a new primary base station takes over from an old primary base station, the new primary base station sends a message to the FSD function. The FSD function then sends requested packets to the new primary base station for queuing and transmission to the mobile unit. This disclosed technique of Kumar et al. is discussed in particular in the Abstract, at col. 6, line 59 - col. 7, line 23.

Claim 8 is directed to a system in which a plurality of blocks of data are downloaded to "each of a plurality of distributed buffers resident in a respective plurality of base stations forming an active set of base stations servicing the mobile station." Then, when it is determined that distributed buffer refresh is required, "a next plurality of blocks of data from the central buffer to each of the plurality of distributed buffers resident in the active set of base stations servicing the mobile station" are downloaded. Claim 8 thus distinguishes over Kumar et al. in that the buffer contents of each distributed buffer are consistently filled.

CONCLUSIONS

All claims are now allowable and a notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney at the address indicated.

Respectfully submitted,

Date: April 23, 2004

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